

VZCZCXYZ0001
OO RUEHWEB

DE RUEHTC #0503/01 1621250
ZNR UUUUU ZZH
O 101250Z JUN 08
FM AMEMBASSY THE HAGUE
TO RUEHC/SECSTATE WASHDC IMMEDIATE 1602
INFO RUEAIIA/CIA WASHDC PRIORITY
RUCPDOG/DEPT OF COMMERCE WASHDC PRIORITY
RHEBAAA/DEPT OF ENERGY WASHDC PRIORITY
RUEKJCS/SECDEF WASHDC PRIORITY
RHEHNSC/NSC WASHDC PRIORITY
RUEKJCS/JOINT STAFF WASHDC PRIORITY
RHMFIUU/DTRA ALEX WASHINGTON DC//OSAC PRIORITY

UNCLAS THE HAGUE 000503

SENSITIVE
SIPDIS

STATE FOR ISN/CB, VCI/CCA, L/NPV, IO/MPR,
SECDEF FOR OSD/GSA/CN,CP>
JOINT STAFF FOR DD PMA-A FOR WTC
COMMERCE FOR BIS (ROBERTS)
NSC FOR FLY
WINPAC FOR WALTER

E.O. 12958: N/A
TAGS: [PARM](#) [PREL](#) [CWC](#)
SUBJECT: CWC: WRAP UP FOR WEEK ENDING JUNE 6, 2008

REF: A. THE HAGUE 455
[1](#)B. THE HAGUE 472
[1](#)C. THE HAGUE 480
[1](#)D. THE HAGUE 482

This is CWC-29-08

SUMMARY

[1](#)1. (U) During the weeks of May 27 and June 2, no official OPCW meetings took place. The Western European and Others Group (WEOG) met twice and was briefed by the new head of public affairs for the Technical Secretariat (TS). The Dutch government hosted a visit to a DuPont plant site on May 29. The FBI Assistant Director for Weapons of Mass Destruction and the FBI Chief of the WMD Countermeasures Unit visited OPCW on June 5 to discuss possible collaboration on future conferences. CEFIC President Van Sloten gave a presentation on the future of the chemical industry on June 5.

[1](#)2. (U) Ambassador Javits hosted the ambassadors of the Permanent Five members of the UN Security Council for a post-Review Conference discussion on June 6. Delreps also met with TS officials to discuss visas to the U.S., personnel and recruiting issues, and the U.S. industry Schedule 1 facility agreement. At a lunch hosted by the Article XI facilitator, Delrep and other delegations discussed ways to move forward on assistance programs. Last, but not least, the Advisory Body on Administrative and Financial Matters (ABAF) met the week of June 2. U.S. ABAF member Rios briefed Amb. Javits at the end of the week. Details on all of these events follow.

WEOG MEETINGS

[1](#)3. (U) On May 27, the new head of public affairs for the Technical Secretariat, Michael Luhan (U.S.), presented an outline of his plans to the WEOG. Under a new OPCW policy, press releases will only be issued

when there are major news developments or events (10-12 a year rather than the previous hundreds). He has created a second category of OPCW news8 for delegations and national authorities, including reports of the DG,s travel. These will not go to the press and would likely number about 10 per month. For the Review Conference, he began updating the media contacts lists and focusing on outreach to critical media outlets. His unit is also working on revamping the public website and expects to unveil it in August. The new system will be automated to upload information onto the site, freeing staff time to develop and solicit good input. Another project is to turn the OPCW reception area into a public information space, including racks with OPCW publications and a plasma screen with information on meetings and events.

14. (U) Luhan is actively expanding OPCW,s networking to NGOs, industry and other key players. One of the tools for this is a structured questionnaire to industry. He will also be developing a three-year strategic plan, including media benchmarks and opportunities (destruction of CW stockpiles in two states in the next two years, accession of new States Parties, DG,s visits, etc.), and networking with policy institutes, NGOs and industry. He admitted that the PR and media budget is miniscule (65,000 euro) but he is hoping to develop projects for which voluntary contributions could be earmarked. Reaction from WEOG members was positive, including for voluntary contributions for outreach.

15. (U) Following Luhan,s presentation, German delegate Ruth Surkau briefed the group on the first EC bureau meeting (May 22), noting that the new EC chair, Ambassador Oksana Tomova (Slovakia), made clear that she intends to actively consult the regional groups and expects her vice chairs to report back to their groups. Algeria will retain the industry cluster of issues; Germany will take over the CW cluster of issues formerly held by WEOG Vice Chair Ireland; Costa Rica will assume the budget and administration cluster from outgoing Vice Chair Chile; and Iran will take the legal cluster from Russia.

16. (U) Amb. Javits nominated Amb. Werner Burkhart (Germany), who was not present at the meeting, to be the WEOG representative to the Russian-hosted visit to the Shchuch,ye destruction facility, seconded by UK and France. Other WEOG members had no objections but asked for more time to consider the matter, as it was the first they had heard nominations were due; WEOG coordinator subsequently forwarded the WEOG invitation letter of May 13 from the new EC Chairperson to all members under a silence procedure. Delrep announced that the U.S. participant for the Shchuch,ye visit would be Dr. Robert Mikulak.

17. (U) At the June 3 WEOG meeting, coordinator Annie Mari (France) announced that all WEOG delegations had agreed that Ruth Surkau (Germany) would take over WEOG coordination this summer, at a date to be determined. Mari also reported that she had consulted with the coordinators of other regional groups and with the Costa Rican ambassador (Vice Chair for Administrative Matters) and had received no objections to Martin Strub (Switzerland) facilitating the upcoming budget consultations.

18. (SBU) Discussion once again turned to a review of the RevCon. Italy stated that we need a plan to go forward on the industry issues, which ones require consultations and which might be better resolved among interested parties and the TS. Germany noted that for OCPFs, the studies the TS had undertaken will be important for discussion. UK rep suggested

that for the site selection methodology, it might be premature to go into consultations, without working out a WEOG position first. Several delegations spoke to their hope to resolve the issue of transfer discrepancies during EC-53 before the departure of the Japanese co-facilitator. All agreed with the suggestion to invite the TS (Bill Kane) to brief the WEOG on TS activities concerning industry at the next meeting.

¶9. (U) On EC-53 matters, Delrep informed the group that the U.S. Schedule 1 facility agreement will be delayed now until EC-54. UK rep noted that there would be a corrigendum coming out on their document on a converted site, which will be a precedent as the first to pass the 10-year deadline. Germany suggested that the EC might request improved reporting for the Article X and Article XI annual reports; currently the reports just list projects with no evaluation. Netherlands Amb. Lak agreed, noting that the language in the Review Conference report on assessment would be helpful for that purpose. UK rep suggested phrasing it in positive terms, &welcoming future assessment,8 which would also be a useful precedent for the budget.

¶10. (U) Coordinator Mari, who is also the chair for the Open Ended Working Group on Terrorism, informed WEOG that she is arranging a meeting on Article X with the UN Office for the Coordination of Humanitarian Assistance (OCHA). OCHA is willing to meet on Article X but did not want the meeting to be associated with terrorism, emphasizing assistance instead. Mari also announced the next OEWG meeting for July 10 focusing on EU coordination on terrorism, with presentations by Spain and France.

REVIEW CONFERENCE FOLLOW-UP

¶11. (U) Daniel Feakes, a research fellow with the Harvard Sussex Program, was in The Hague during the week of May 27. He met with a number of TS officials and participating delegations, including Amb. Lyn Parker (Chair, Open-Ended Working Group on preparations for the RevCon). Delrep met with Feakes as his request to briefly discuss the &increased partnership with industry8 mentioned in the U.S. RevCon statement. Delrep shared generally the ideas raised during the April 9 dinner with industry representatives hosted by Amb Javits (e.g., industry,s active promotion of the CWC in the early days, the challenges that industry faces with the public in being associated with a chemical weapons treaty, industry,s important role in the associate program and internships, etc.). Feakes also asked for general impressions about the RevCon, as well as what he had from others about the counter-productive role Iran played during the RevCon. Delrep was careful to focus on the challenges of the process rather than assigning full blame to one delegation.

DUTCH-HOSTED VISIT TO DU PONT PLANT SITE

¶12. (U) On May 29, the Dutch National Authority hosted a visit for delegations and TS staff to a Du Pont plant site in Dordrecht. Amb Javits and Delrep participated in this event. This site is declared and has been inspected under the Schedule 2 and OCPF regimes. This was the second time in the past three years that the Dutch National Authority has chosen a site whose parent is a U.S. company.

¶13. (U) Of interest was the fact that the Dutch National Authority chose a fluoropolymer plant site

(i.e., Teflon and related products). This comes on the heels of the RevCon, which resurrected the ongoing discussion regarding concentration thresholds for Schedule 2A/2A* chemicals. (PFIB, a Schedule 2A chemical, is produced as an unwanted and unavoidable waste product in the production of these materials.)

¶14. (U) Also of interest was the method this site uses for handling the PFIB waste that is generated. Although they thermal treat this waste, as is the pattern for nearly all such plants throughout the world, they incorporate some technology to capture certain chemicals resulting from the break-down of PFIB. For example, this site captures aqueous HF (hydrofluoric acid) and sells it to another company for use as a raw material in the production of toothpaste.

¶15. (SBU) In discussions with Bill Kane (TS, Industry Verification) during the site visit, he said that this type of thermal treatment was typical of most such plant sites, although the capture of resulting chemicals was somewhat unique. He said that the case of concern often referred to by the UK delegation of sites that drum up PFIB waste and send it off site for destruction is very rare and may be unique to one site in the UK itself.

INDUSTRY SCHEDULE 1 FACILITY AGREEMENT

¶16. (U) Discussions continue regarding the facility agreement for the single industrial Schedule 1 facility that falls under the verification regime. One last-minute issue has arisen regarding health and safety practices, and this issue will require further review by Commerce experts and then TS health and safety staff. It now seems unlikely that this facility agreement can be considered for approval during the June meeting of the Executive Council (EC-53). In that case, the TS will prepare the final document with an EC-54 number and distribute it as soon as possible (preferable before or during EC-53), so that capitals will have sufficient time to review it and recommend approval during EC-54.

OFFICIAL VISAS FOR TS STAFF

¶17. (U) On May 27, Delreps met with Milijana Danevska (Head, Protocol and Visa Branch) and Serban Coman-Enescu (Senior Protocol Officer) to follow-up on previous meetings about official visas to the U.S. for TS staff and inspectors. Danevska expressed her thanks that two-year multiple-entry visas were now being issued for official travel, in accordance with CWC requirements. Delreps discussed the regulatory need for travelers using UN laissez-passers to have a letter from the UN's Transportation Division authorizing travel. Danevska stated that the OPCW would like to remove this unnecessary administrative burden, especially as the OPCW is an independent organization and the OPCW's use of UN laissez-passers is governed through its cooperation agreement with the UN. Delreps agreed to stay in touch and to explore the possibility of the U.S. making an exception for the OPCW visa processing, eliminating the need for the extra step of a UN letter.

HR AND RECRUITMENT ISSUES

¶18. (U) On May 29, Delrep met with Ali Asghar (Head, Human Resources) to discuss recruiting and other administrative issues. Asghar noted that the number of U.S. citizens working at the TS now stands at 33

(25 in Professional positions and eight in General Services positions); this represents an increase of seven (six Professional and one GS) since the beginning of the year and makes the U.S. the country with the largest share of Professional staff positions in the TS.

¶19. (U) Asghar said that the TS,s e-recruitment system is due to be launched in June, well ahead of the originally-expected December launch date. The system is based on the one currently used by the WHO and will allow applicants to fully track their applications through the entire recruitment process.

ARTICLE XI LUNCHEON

¶20. (U) Li Hong (China), the facilitator for Article XI issues, hosted a lunch on June 4 to discuss the way forward on developing concrete measures, as directed by the CSP and RevCon. Delegates from the Netherlands, South Africa, Cuba, Japan, Germany, France, and the U.S. attended, as well as a senior TS officer from the International Cooperation and Assistance (ICA) division. Discussion was wide-ranging, with Dutch Amb. Lak emphasizing that we need to put ideology aside and focus on pragmatic efforts. U.S. Delrep noted the role of industry in this effort and described Amb. Javits, dinner for industry representatives during the RevCon. Cuban rep noted that the ideology will remain part of the dialogue but agreed that the facilitations should focus on the pragmatic. He suggested that the group needs a tool to develop new programs and ideas and proposed a workshop, carefully planned and designed to develop new programs. In the discussion following, several delegates liked the idea of a series of regional workshops leading up to a larger meeting in The Hague, possibly added to the agendas of the regional meetings of the National Authorities. EU reps thought that funding for such workshops could be easily sought through voluntary funding.

¶21. (U) Li then ran through the various ICA programs and his assessment of their success. The Associate Program is the most successful, he felt, but the Intern Program has few opportunities. OPCW rep stated that the interns at present find their own sponsors and that 100 percent of the requests have been satisfied. Other delegation representatives noted that perhaps there could be ways to help broaden information and help match interns with sponsoring organizations. Li said that China would like to expand the areas of the Research Program to work in areas such as soil and water safety. Others in the group agreed that the Research Program could be more targeted to needs of industry in developing countries.

¶22. (U) Facilitator Li is scheduling the next consultation on Article XI for June 20 and said he hoped the discussion could build on the ideas discussed at this lunch.

OPCW VISIT BY FBI ASSISTANT DIRECTOR

¶23. (U) On June 5, Delreps, in conjunction with the FBI Legal Attache at the embassy (Timothy Wallach), hosted Dr. Vahid Majidi (Assistant Director, FBI,s WMD Directorate) and Jeff Muller (FBI Chief of WMD Countermeasures Unit) for a series of meetings with the OPCW Technical Secretariat (TS). These meetings included: (1) a meeting with Gary Mallard and visit to the OPCW Laboratory and Equipment Store, to better

understand the TS analytical capabilities deployment capabilities in response to cases of use of chemical weapons; (2) a meeting with Deputy Director-General John Freeman; (3) a meeting with Krzysztof Paturej regarding the work of the Executive Council,s Open-Ended Working Group on Terrorism; and (4) a meeting with Malik Ellahi regarding TS efforts in coordinating with States Parties and other international organizations, particularly in showing how national implementation efforts under the CWC meet the requirements of UN measures like UNSCR 1540. Dr. Majidi is pursuing the option of using The Hague as a venue for future international conferences on counter-terrorism efforts.

¶24. (SBU) Krzysztof Paturej presented to the FBI delegation a concept for the first of a potential series of tabletop exercises centered on prevention of and response to a terrorist attack at a chemical plant site, and he solicited the assistance of the FBI in organizing, staffing and funding such an exercise. Paturej is considering a plant site in Poland as a possible venue for such an exercise; however, in later discussions with FBI visitors, they told Delrep that they would prefer a Hague-based exercise for the first attempt, which could then be expanded regionally based on the success of the undertaking. This type of concept is consistent with FBI initiatives in the counter-terrorism arena, but it will need to be studied closely in order to keep it on topic and of relevance and value. If there are any costs outside of FBI and its partners (e.g., Interpol), consideration would have to be given to where such Qnding would come from (e.g., whether U.S. voluntary contributions might be considered).

¶25. (SBU) During the meeting with Malik Ellahi, a number of similar training and outreach opportunities, including a proposal regarding CWC national implementation as a tool in meeting State Party obligations under UNSCR 1540. Given the numerous political landmines that seem to exist in this arena, Ellahi will be adept in helping the FBI organize venues with partners like OPCW and Interpol to address these issues.

¶26. (U) In Del,s briefing with the FBI team, Delrep requested that they contact ISN Director Mikulak after their return to Washington to coordinate any future projects.

CEFIC PRESENTATION ON CWC IMPLEMENTATION IN INDUSTRY

¶27. (U) On June 5, Delrep participated in a presentation by Rene van Sloten (President, CEFIC, the European chemical council) on the topic &Eleven Years of CWC Implementation: Moving Forward with the Chemical Industry.8 In that presentation, Van Sloten touched on a number of different topics regarding industry implementation of the CWC - Responsible Care, balanced trade controls, world chemicals sales, change in share of world chemicals exports, migration of Western industry production to emerging countries, market trends, globalization and consequences, specific industry contributions to the CWC (both pre-entry into force and more recently), and extending industry compliance. After completion of his presentation, Van Sloten asked a series of open-ended questions or statements meant to stimulate discussion: the focus of the CWC post-destruction; industry verification as a confidence-building measure only; a possible role for the OPCW in wider chemical management support; and whether industry (as &a stakeholder with a capital S8) could play a larger day-to-day role with the OPCW.

¶28. (U) This presentation, along with the repeated raising by CEFIC of the shift of industry from West to East appeared to offend several delegations, particularly from within the developing world. Algeria made a strange intervention implying that some companies were using the CWC as an excuse to re-negotiate (read, raise) prices, and that a more open dialogue with industry was needed to establish complete trust. The Netherlands asked about discussions within CEFIC regarding ways to reach out to developing countries/industries (e.g., training) as a tool in helping to meet Article XI goals, including the use of existing venues such as the annual meeting of National Authorities or new venues (Del Comment: see section on Article XI above).

¶29. (U) A TS inspector asked how CEFIC might play a role in assessing developments in science and technology, particularly within the OCPF industries. Italy emphasized that, even though the priorities of the OPCW are very focused, that they are part and parcel of industry,s priorities, particularly the desire to create a level playing field globally. Germany asked about CEFIC,s thoughts on improving industries, interactions with the OPCW. Cuba stated that the discussion clearly indicated the need to focus on the full implementation of Article XI and industry,s role in these efforts. South Africa stressed the necessary caution that comes from Western companies importing their views on implementation along with the plant sites built in developing countries.

¶30. (U) Van Sloten responded by pointing out that the cost of trade controls are more administrative than real; a level playing field can be achieved by all States Parties fully implementing the CWC; that implementation is easily balanced against environmental and other such impacts; no company looks to a State Party,s lack of implementation as an opportunity for easy development there; that the OPCW cannot do capacity-building - only industry can; and the fact that the expansion of industry into new parts of the world means that the developing world often has superior technology than the historically established industries. He also suggested areas where industry can do more (e.g., helping the TS in its recruiting efforts of capable inspectors from within industry) and that perhaps industry be given a more formal role in the plenary sessions of future meetings. Also, as CEFIC has done many times in the past, he made several passing references to disparity within the global industry in mixture rules.

P-5 MEETING

¶31. (SBU) On June 6, Amb. Javits hosted the Ambassadors from the Permanent five members of the UN Security Council in the series of periodic meetings of this group. The agenda included the traditional topic of universality and a discussion of the Review Conference. It was the first P-5 meeting for new Chinese Ambassador Zhang Jun and possibly the last for Russian Ambassador Kirill Gevorgian, who will be leaving this summer. Ambassadors Lyn Parker (UK) and Jean Gaussot (France) and staff from all five missions also attended. There was little news on universality, noting that Guinea Bissau has now joined the Convention and Lebanon may finally be able to accede under the new president. The Chinese Ambassador stated that there are &other priorities8 for Burma and North Korea. Amb. Gevorgian reported that the new chairperson of the Executive Council, Amb. Tomova of Slovakia, is working on an initiative to host a seminar in Slovakia, but he thought she did

not yet have the support of her government. Amb. Gaussoot noted that France had considered hosting a meeting for the Middle East but had not thought the timing right just yet.

¶32. (SBU) All five ambassadors expressed satisfaction with the outcome of the Review Conference, if not with the &painful process as the Russian ambassador described it. Several noted disappointment that UNSCR 1540 had not been cited in the final report. France noted the great number of decisions in the text to be implemented, while the UK pointed to the opportunity in the year ahead -- with a &purposeful and efficient EC Chairperson and a well-run Technical Secretariat -- to make some real progress. Amb. Javits noted the importance of leaving a record for the next Review Conference, something that had not been done for the first. He also cited the need for prioritization of the recommended actions and capturing lessons learned from the Conference for better future planning. Amb. Parker emphasized that the actual &review takes place in the preparations leading up to the Conference and not during the Conference itself, a reality that some delegations -- notably the NAM -- did not participate in as fully as they should.

¶33. (SBU) Amb. Parker described the NGO/academic community as &shocked that so many states see destruction as the sole agenda of the OPCW and fail to recognize the importance of non-proliferation as ongoing and of relevance to them. Both Amb. Parker and Amb. Javits stated that destruction will undoubtedly continue after 2012, citing Iraq and other new states parties as being unable to complete destruction by the deadline, but that those states must still be encouraged to join the convention and commit to a reasonable timeline for destruction. Amb. Gevorgian then intervened to reiterate the strong position of the Russian Government that &going beyond the limits of the Convention (i.e. failure to meet the final deadline) will be a breach of international law. This &principled position would not be modified in the future, he said.

¶34. (SBU) As to lessons learned from the Conference, Amb. Gevorgian stated that &politically and practically, we have put ourselves in an untenable position with the two competing documents that were introduced to the Second RevCon. The NAM in principle does not produce documents, and he pointedly noted that the NAM had also &spoken in the name of China. Although the RevCon was successful in working out a satisfactory final document, he continued, the precedent of the dueling documents will haunt future sessions of the policy making bodies. Amb. Parker replied that the NAM comments came in several different versions throughout the working group process, always late. The NAM paper at the RevCon was a &maximalist document with much new material, and a lot of questions put down as markers, not representative of agreed positions by all the NAM member states. The Cuban ambassador, he said, was consequently quite clear that he could not negotiate utilizing the NAM text and that it was up to the States Parties to defend their individual interests. He agreed that the problem would persist in future. Amb. Javits raised the idea of early identification of facilitators during the working group process and beginning smaller group discussions of the contentious issues well before the Conference itself as a possible way to improve the process and develop trust and expertise on the issues going into the Conference.

¶35. (SBU) U.S. member of the Advisory Body on Administrative and Financial Matters (ABAF), Mary Blanca Rios, met with Amb. Javits and Delreps on June 6 to discuss issues arising from the ABAF meeting. The German chairman will be leaving, and Rios is one of the potential candidates for the chair, but the Iranian representative told her he would oppose the U.S. taking the chair. The OPCW is proceeding with IPSAS (International Public Sector Accounting Standards) implementation, in line with the UN Common System; the Legal Advisor does not believe that this will require any action by the member states. However, Rios warned that the amount set aside in the budget for this process appears to be extremely low; if additional funds are required for implementation, it may become a political issue. From the Internal Oversight report, there were two items that may become political -- the loss by ICA of 10,000 dollars cash at the Johannesburg airport, and ICA,s mis-administration of the EU,s Joint Action funding. For the latter, ICA illegally moved money from the General Fund before the EU funding had even arrived, and did not use any of the EU funding for additional staff for its programs. Consequently, ICA reimbursed the General Fund too late for all of the EU money to be used. In the annual budget debate, Iran will probably use these examples to push for additional ICA staffing; but the EU, on the other hand, may stress ICA,s inability to manage even the funds it has.

¶36. (U) Javits sends.
Gallagher